

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 6, 1954
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Invocation was delivered by REV. GERARD McGUIRE, Pastor St. Austin's Catholic Church.

Councilman White moved that the Minutes of April 29th be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor stated the Highway signs as you enter Austin giving the population are incorrect, that the population of Austin is now around 171,000. Councilman Pearson moved that the City Manager be instructed to make an estimate of Austin's population according to the Water and Light meters and furnish this information to the Highway Department so that they might bring their signs up to date. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Mrs. Rita Janson has made application in writing for permission to use and maintain in her residence a day nursery school complying with all City and State regulations, on Lot 13 and West 5 feet of 14, Block 5, Green

Acres, in the City of Austin, Travis County, Texas, the same being on the north side of Ellise Avenue and locally known as 2608 Ellise Avenue, which property is located in an "A" Residence District and under Section #4, Item 13a of the Zoning Ordinance requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission for the use and maintenance of a day nursery school at the location described above be granted to Mrs. Rita Janson.

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Council had before it for consideration the application of MRS. JOHN W. ZEWINER for permission to use and maintain in her residence a day nursery at 917 East 48th Street. MR. WALTER JAMES, 908 East 48th Street, submitted the following letter from the owners of the property:

"Stilwell, Oklahoma
May 1, 1954

"Mr. Walter James
908 East 48th Street
Austin, Texas

"Dear Mr. James:

"Relative to our telephone conversation on May 1, 1954, in regard to an application by Mrs. John W. Zewiner to the City Council of Austin, Texas for permission to establish and maintain a nursery on OUR property, Lot 2, Section #2, Harmon Terrace (917 East 48th Street) Austin, Texas: We had no previous knowledge of Mrs. John W. Zewiner's application for a nursery permit until we received a letter from the City Clerk of Austin on April 29, 1954 stating that Mrs. Zewiner's request would be heard at a regular meeting of the council at the City Hall on April 29, 1954 at 10:00 A.M.

"You informed us that the hearing before the council on this matter had been postponed. We would be grateful to you if you would represent us at the Council Meeting and state our views and reasons against the granting of a permit for a nursery at 917 East 48th Street, Austin, Texas. As owners of this property we are unalterably opposed to the establishing of a nursery there for the following reasons:

"Near and adjoining property owners object to a nursery there. This property is our home and it has never been our intention to rent this property for any purpose other than living quarters for a family. If a nursery was established here wear and tear on the house (as well as the neighbors nerves) would be excessive and beyond ordinary use.

"Thank you Mr. James for your interest in this matter, You may use this letter as you see fit.

"Sincerely yours,
 (S) Mrs. Lorene Self
 (S) Betty Jean Brock
 (S) Carolyn Brock

Owners of Lot 2, Section #2,
 Harmon Terrace, Austin, Texas"

A petition, signed by eleven neighbors, was also submitted. Councilman Long stated that she did not think the nursery school would devalue the property. Councilman Long moved that since Mr. Zewiner did not have permission from the the owners of the property that the application be denied. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
 Noes: None

The Mayor announced that the application had been denied.

Councilman Long moved that the City Manager be instructed to amend the rules for the application of nursery schools, etc., so as to inquire of the applicant if they own the property, or if they do not, if they have permission from the owner; and to note this on the application. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White
 Noes: Mayor McAden

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain public utility easements along certain side lot lines were reserved and dedicated to the public on a map or plat of Tarrytown River Oaks, a subdivision of a portion of the Daniel J. Gilbert Survey in the City of Austin, Travis County, Texas; and

WHEREAS, portions of such easements hereinafter described are not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of the portions of such public utility easements located on the hereinafter described property, to wit:

- No. 1. The west five (5) feet of the south one hundred (100) feet of Lot 27 of said Tarrytown River Oaks.
- No. 2. The east five (5) feet of the south one hundred (100) feet of Lot 26 of said Tarrytown River Oaks.

The motion, seconded by Councilman Thompson, carried by the following vote
 Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
 Noes: None

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in EAST SIDE DRIVE, from a point 62 feet south of Terrace Drive southerly 97 feet, the centerline of which gas main shall be 6.5 feet east of and parallel to the west property line of said EAST SIDE DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in LERALYNN STREET, from a point 105 feet south of North Loop Boulevard northerly 54 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said LERALYNN STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in EAST 46TH STREET, from a point 147 feet east of Eilers Avenue easterly 60 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said EAST 46TH STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in PEGRAM AVENUE, from Daugherty Street westerly 76 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said PEGRAM AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that

greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Mayor McAden introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING
THAT CERTAIN PORTION OF WEST 50TH STREET WHICH
LIES WEST OF STRASS DRIVE AND EAST OF FINLEY
DRIVE IN THE CITY OF AUSTIN, TRAVIS COUNTY,
TEXAS; AND SUSPENDING THE ORDINANCE RULE
REQUIRING THE READING OF AN ORDINANCE ON
THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH P. S. MANGUM; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Thompson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Thompson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Thompson moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH RUTH REED HALL; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Thompson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Thompson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Thompson moved

that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, pursuant to that certain ordinance enacted on March 19, 1953, authorizing the City Tax Assessor and Collector to photographically reproduce certain records of the Department of Taxation, the City Tax Assessor and Collector has made photographic reproductions of various original records of such Department and has filed with the Council a certificate certifying that such photographic reproductions constitute a true and accurate reproduction of such original records, and,

WHEREAS, such certificate is in due form, correct and entitled to be approved by the Council, Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the Certificate of the City Tax Assessor and Collector filed with the Council and attached hereto and made a part hereof, be and it is hereby approved.

(Certificate attached)

THE STATE OF TEXAS:

COUNTY OF TRAVIS:

I do hereby certify that I have examined the reels of photographic reproductions identified and described in the schedule set out below, and that each reel of such photographic reproductions constitutes a true and accurate reproduction of the original records of the Department of Taxation of the City of Austin listed in said schedule opposite the description of such reel.

Tax Department-Collection Register

<u>Reel No.</u>	<u>Description</u>	<u>Years</u>
T 1	Collection Register or Cash Books	1876 - 1879
T 2	" " " " "	1880 - 1891
T 3	" " " " "	1892 - 1895
T 4	" " " " "	1896 - 1902
T 5	" " " " "	1902 - 1907
T 6	" " " " "	1907 - 1912
T 7	" " " " "	1913 - 1917
T 8	" " " " "	1917 - 1921
T 9	" " " " "	1921 - 1925
T 10	" " " " "	1925 - 1926

City Lot Register or Block Books

<u>Reel No.</u>	<u>Description</u>	<u>Years</u>
T 1	City Lot Register	1908 - 1909
T 2	" " "	1909 - 1910
T 3	" " "	1911
T 4	" " "	1912
T 5	" " "	1913
T 6	" " "	1914
T 7	" " "	1914
T 8	" " "	1915
T 9	" " "	1916
T 10	" " "	1916
T 11	" " "	1917
T 12	" " "	1918
T 13	" " "	1918
T 14	" " "	1919
T 15	" " "	1919
T 16	" " "	1920
T 17	" " "	1920
T 18	" " "	1921
T 19	" " "	1922
T 20	" " "	1922

Assessments

Rendition of Real and Personal Property Tax

<u>Reel No.</u>	<u>Description</u>	<u>Years</u>
T 1	Rendition of Real and Personal Tax	1873 - 1878
T 2	" " " " " "	1879 - 1886
T 3	" " " " " "	1887 - 1892
T 4	" " " " " "	1892 - 1894
T 5	" " " " " "	1894 - 1898
T 6	" " " " " "	1898 - 1901
T 7	" " " " " "	1901 - 1902

Tax Rolls

<u>Reel No.</u>	<u>Description</u>	<u>Years</u>
T 1	Tax Rolls	1903 - A - Z - 1904 - A - Z
T 2	" "	1905 - A - Z - 1906 - A - Z
T 3	" "	1906 - A - Z - 1907 - A - Z
T 4	" "	1908 - A - Z
T 5	" "	1909 - A - Z - 1910 - A - S
T 6	" "	1910 - T - Z
T 7	" "	1911 - A - Z
T 8	" "	1912 - A - Z
T 9	" "	1913 - A - Z
T 10	" "	1914 - A - S
T 11	" "	1914 - S - Z
T 12	" "	1915 - A - Z
T 13	" "	1916 - A - Z
T 14	" "	1917 - A - Z

T 15	Tax Rolls	1918 - A - Z
T 16	" "	1919 - A - Z
T 17	" "	1920 - A - Z
T 18	" "	1921 - A - J
T 19	" "	1921 - J - Z
T 20	" "	1922 - A - Z
T 21	" "	1923 - A - L
T 22	" "	1923 - L - Z
T 23	" "	1924 - A - Z
T 24	" "	1925 - A - L
T 25	" "	1925 - M - Z
T 26	" "	1926 - A - Z
T 27	" "	1927 - A - Z
T 28	" "	1928 - A - Z
T 29	" "	1929 - A - Z
T 30	" "	1930 - A - Z
T 31	" "	1931 - A - L
T 32	" "	1931 - M - Z
T 33	" "	1932 - A - Z
T 34	" "	1933 - A - S
T 35	" "	1933 - T - Z
T 36	" "	1934 - A - Z
T 37	" "	1935 - A - M
T 38	" "	1935 - N - Z
T 39	" "	1936 - A - Z
T 40	" "	1937 - A - L
T 41	" "	1937 - M - Z
T 42	" "	1938 - A - Z
T 43	" "	1939 - A - L
T 44	" "	1939 - M - Z
T 45	" "	1940 - A - Z
T 46	" "	1941 - A - N
T 47	" "	1941 - O - Z
T 48	" "	1942 - A - Z
T 49	" "	1943 - A - Z
T 50	" "	1944 - A - Z
T 51	" "	1945 - A - Z

In testimony whereof I have set my official hand this the _____
day of _____ A. D., 1954.

(S) T. B. Marshall
Tax Assessor and Collector
of the City of Austin

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long moved that the Council grant the T. B. Association use
of parking meters for people getting Chest X-rays, the details to be worked out
with the City Manager. The motion, seconded by Councilman White, carried by
the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Council set the following zoning applications for public hearing Thursday, May 27th at 11:00 A.M.:

PLANNING COMMISSION	Arroyo Seca & St John's Ave. Blk.bounded by Arroyo Seca,St.Johns Ave. & Woodrow Ave.	From 1st Height and Area To 6th Height and Area RECOMMENDED by the Planning Commission
T. C. WOMMACK & DAVID D. FORD	Sw.Cor.Manchaca Rd. & Fort View Rd., Lots 10 11,35 & 36,Goodnight & Pearson Addition	From "A" Residence To "C" Commercial NOT Recommended by the Planning Commission
K. R. MEYER	1902-04 Lake Austin Blvd.	From "A" Residence To "C" Commercial NOT Recommended by the Planning Commission
SAM McDONALD	8300 Blk.Lamar Blvd. Ne.Cor.W.Powell Lane	From "A" Residence To "D" Industrial NOT Recommended RECOMMENDED "D" 6th Height and Area by the Planning Commission
R. C. DONAHO JACK H. KEY	4109-11 So.1st & 513-15 Normandy, Lots 6,7, 8,9,10,Blk B,Placinda Subd.	From "A" Residence To "C" Commercial NOT Recommended RECOMMENDED "C" 6th Height and Area by the Planning Commission
CODY WALKER	8617 Burnet Rd. Lot 9,Blk C,Bowling Green	From "A" Residence 1st To "C-1" Commercial 6th NOT Recommended by the Planning Commission
BOARD OF PRESBYTERIAN STUDENT WORK (at University of Tex)	411 W. 23rd St. Lots 25 & 26, OL 35, Div. D	From "B" Residence 2nd To "C" Commercial 6th RECOMMENDED by the Planning Commission
M. E. CHERNOSKY	413-17 Vargas Rd. Vargas Rd.South of Bastrop Highway	From "A" Residence To "C" Commercial RECOMMENDED by the Planning Commission
FLOYD WILLIAMS	601 Nelray Lot 64, Northfield Subdivision	From "A" Residence To "B" Residence RECOMMENDED by the Planning Commission

Councilman Pearson submitted the following :

"I want to propose to the City Council that we invite the State Planning Commission to meet with the City Council in an effort to have the State and the City join hands in coordinating a Master Plan for Austin.

"The main function of the State Planning Commission, as appointed by Governor Shivers, is planning buildings in Austin and throughout the State. Since a very, very large percentage of Austin is owned by the State, I feel if a Master Plan is approached for Austin, it must be coordinated with the plans of the State Planning Commission. If the State Planning Commission is favorable to working with us on this plan, I believe the City could furnish one or two men to assemble data and I am sure in within three months we would have information sufficient to make a positive approach to the financing of a Master Plan for Austin. I think we would be very fortunate to have this committee work with us because a large percentage of the State Planning Commission consists of some very outstanding citizens of Austin who are interested in the welfare of our City."

Councilman Pearson pointed out that the City already has done some planning and that some departments have plans for 10 years. Councilman Long felt that the request of the Chamber of Commerce, that some of the \$17,000,000 Revenue Bond Issue should be spent on planning and for a certain amount of technical knowledge, should be considered. She felt that it should be set up in the budget for the remainder of the year. Councilman Pearson moved that the Council invite a Committee from the City Planning Commission, a Committee from the State Planning Commission and a representative from the County Commissioners Court to meet with the City Council in an effort to have the State, County and City join hands in coordinating a Master Plan for Austin; and the meeting to be called immediately. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long stated that this was a small step toward a Master Plan for Austin but that it did not meet the requirements of the Charter.

Pursuant to published notice thereof a public hearing was held on the following zoning application:

MRS. MARY JABOUR	3207-11 East Avenue	From "A" Residence 1st To "C" Commercial 6th
		NOT Recommended by the Planning Commission

Mrs. William Shirriffs and Mrs. S. C. Domon appeared in opposition to this change and submitted a petition asking that the Council deny this change. The Council deferred action on the application, to look at the property.

- - - - -

Mayor McAden stated there was two vacancies on the Planning Commission. Action was deferred until next week.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the south side of West 6th Street as a private gasoline plant consisting of a 2000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owner by the Polar Ice Cream Company, and is the center 26 feet of Lot 6, Block 52, in the Original City of Austin, Travis County, Texas, and hereby authorizes the said Polar Ice Cream Company to operate a private gasoline plant consisting of a 2000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Polar Ice Cream Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"May 6, 1954
Austin, Texas

"Mr. Walter E. Seaholm
City Manager
Austin, Texas

Dear Sir:

"I, the undersigned, have considered the application of the Polar Ice Cream Company for permission to operate a private gasoline plant consisting of a 2000 gallon underground tank and pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, and upon property located on the south side of West 6th Street, which property is designated as the center 26 feet of Lot 6, Block 52, in the Original City of Austin, Travis County, Texas, and locally known as 409 West 6th Street.

"This property is located in a "C-2" Commercial District and I recommend that this permit be granted subject to the following conditions:

"(1). That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2). That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street or alley.

"(3) That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4). That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
(S) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the opening, construction and maintenance of an additional street, highway, and freeway in the City of Austin extending from its north limits to its south limits, said street, highway and freeway being commonly known as "Interregional Highway"; and,

WHEREAS, the City Council has found and determined that the hereinafter described land is suitable for such purpose and that it is necessary to acquire said land for such street, highway and freeway; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against all owners and lienholders, a suit in eminent domain to acquire fee simple title for said purpose to the following described tract of land:

Two (2) tracts of land, the tract of land hereinafter described as No. 1 containing 0.071 acres of land and the tract of land hereinafter described as No. 2 containing 5.640 acres of land, each of the said two (2) tracts of land being out of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, which was conveyed to Parkinson Estates, Inc. by warranty deed dated February 5, 1951, of record in Volume 1109, Page 442, Deed Records of Travis County, Texas, each of the said two (2) tracts of land being more particularly described by metes and bounds as follows:

No. 1 BEGINNING at an iron pipe at the intersection of a northeast line of the said Parkinson Estates, Inc. tract described as Second Tract in said deed of record in Volume 1109, Page 442, Deed Records of Travis County, Texas and the proposed west R-O-W line of the Interregional Highway, and from which point the most northerly corner of said Parkinson Estates, Inc. tract described as Second Tract in said deed of record in Volume 1109, Page 442, Deed Records of Travis County, Texas, bears N. $44^{\circ} 07'$ W. 295.20 feet;

THENCE with the northeast line of the said Parkinson Estates, Inc. tract S. $44^{\circ} 07'$ E. 100.52 feet to a point for corner;

THENCE S. $64^{\circ} 30'$ W. 79.60 feet to an iron pipe on the proposed west R-O-W line of the Interregional Highway, said proposed west R-O-W line of the Interregional Highway being a curve whose angle of intersection is $31^{\circ} 58'$, whose tangent distance is 489.10 feet, and whose radius is 1707.57 feet;

THENCE following said curving line to the left an arc distance of 107.29 feet the sub-chord of which arc bears N. $1^{\circ} 00'$ E. 106.49 feet to the point of beginning.

No. 2 BEGINNING at the southeast corner of the tract of land conveyed to Parkinson Estates, Inc. by Warranty Deed dated February 5, 1951 of record in Volume 1109, Page 442, Deed Records of Travis County, Texas and described as Third Tract in said deed;

THENCE with the south line of the tract of land described as Third Tract in the aforementioned deed of record in Volume 1109, Page 442, Deed Records of Travis County, Texas, N. $60^{\circ} 20'$ W. at 244.44 feet pass an iron pipe, in all 264.46 feet to an iron pipe on the proposed west R-O-W line of the Interregional Highway;

THENCE with the proposed west R-O-W line of the Interregional Highway N. $28^{\circ} 22'$ E. 590.79 feet to an iron pipe;

THENCE N. $9^{\circ} 10'$ E. 116.19 feet to an iron pipe in an east line of that certain tract of land conveyed to Parkinson Estates by Warranty Deed dated February 5, 1951 of record in Volume 1109, Page 442, and described as First Tract in said deed, which iron pipe is at the point of curvature of a curve whose angle of intersection is $31^{\circ} 58'$, whose tangent distance is 489.10 feet and whose radius is 1707.57 feet;

THENCE following said curving line to the left an arc distance of 196.68 feet, the sub-chord of which arc bears N. $19^{\circ} 28'$ E. 196.59 feet to an iron pipe on an east line of a 6.13 acre tract of land conveyed to Parkinson Estates by deed of record in Volume 1109, Page 442, Deed Records of Travis County, Texas and described as Second Tract in said deed;

THENCE with an east line of the aforementioned Second Tract as described in said deed of record in Volume 1109, Page 442, Deed Records of Travis County, Texas, S. $27^{\circ} 51'$ E. 89.72 feet to the most easterly corner of said Second Tract, same being the northwest corner of said Third Tract;

THENCE with the north line of said Third Tract, S. $61^{\circ} 07'$ E. 288.81 feet to a point, which point is the southwest corner of Bellvue Park, a Subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, according to a map or plat of said subdivision of record in Book 1, Page 45, Plat Records of Travis County, Texas;

THENCE S. $61^{\circ} 17'$ E. at 1.81 feet pass an iron pipe in the proposed east R-O-W line of the Interregional Highway, in all a distance of 16.32 feet to the northwest corner of Elmhurst Addition, a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas according to a map or plat of said subdivision of record in Book 3, Page 314, Plat Records of Travis County, Texas;

THENCE with the west line of Elmhurst Addition, S. $31^{\circ} 33'$ W. 679.93 feet to a point in the north line of Taylor-Gaines Street;

THENCE S. $31^{\circ} 32'$ W. 163.04 feet to the point of beginning.

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the opening, construction and maintenance of an additional street, highway, and freeway in the City of Austin extending from its north limits to its south limits, said street, highway and freeway being commonly known as "Interregional Highway"; and,

WHEREAS, the City Council has found and determined that the hereinafter described land is suitable for such purpose and that it is necessary to acquire said land for such street, highway and freeway; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof, Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against all owners and lienholders, a suit in eminent domain to acquire fee simple title for said purpose to the following described tract of land:

9.183 acres of land same being out of and a part of that certain 19.38 acres in the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, which was conveyed to Mrs. Lela Parkinson by warranty deed dated January 22, 1917 of record in Volume 291, Page 550, Deed Records of Travis County, Texas, which 9.183 acres of land is more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe on a northeast line of the said Mrs. Lela Parkinson 19.38 acre tract of land which point is also in the proposed west

Right-of-Way line of the Interregional Highway; and from which point of beginning an iron stake at the point of intersection of the proposed west Right-of-Way line of the Interregional Highway with the east line of Travis Heights bears N. $9^{\circ} 13'$ W. 372.65 feet;

THENCE with the north line of the said Mrs. Lela Parkinson 19.38 acre tract of land, N. $48^{\circ} 57'$ E. 222.94 feet to a point on the south line of Riverside Drive;

THENCE with the south line of Riverside Drive, S. $51^{\circ} 18'$ E. 93.06 feet to a point;

THENCE continuing along the south line of Riverside Drive, N. $73^{\circ} 16'$ E. 224.18 feet to a point on the proposed east Right-of-Way line of the Interregional Highway;

THENCE with the proposed east Right-of-Way line of the Interregional Highway, S. $20^{\circ} 47'$ W. 248.17 feet to the point of curvature of a curve whose angle of intersection is $37^{\circ} 35'$, whose tangent distance is 700.12 feet and whose radius is 2057.57 feet;

THENCE following said curving proposed east Right-of-Way line of the Interregional Highway to the right an arc distance of 1029.58 feet the sub-chord of which arc bears S. $5^{\circ} 07'$ W. 1018.33 feet to an iron pipe on the east line of the Mrs. Lela Parkinson 19.38 acre tract of land;

THENCE with the east line of the said Mrs. Lela Parkinson 19.38 acre tract of land S. $29^{\circ} 41'$ W. 10.35 feet to a point on the south line of the said Mrs. Lela Parkinson 19.38 acre tract of land;

THENCE with the south line of the said Mrs. Lela Parkinson tract of land, N. $61^{\circ} 07'$ W. 288.81 feet to a point;

THENCE N. $27^{\circ} 51'$ W. 89.77 feet to an iron pipe on the proposed west Right-of-Way line of the Interregional Highway, said proposed west Right-of-Way line of the Interregional Highway being a curve whose angle of intersection is $31^{\circ} 58'$, whose tangent distance is 489.10 feet, and whose radius is 1707.57 feet.

THENCE following said curving proposed west Right-of-Way line of the Interregional Highway to the left, an arc distance of 398.43 feet the sub-chord of which arc bears N. $9^{\circ} 28'$ E. 397.41 feet to an iron pipe in a west line of the said Lela Parkinson tract;

THENCE N. $64^{\circ} 30'$ E. 79.60 feet to a corner of said Lela Parkinson tract;

THENCE N. $44^{\circ} 07'$ W. 100.52 feet to an iron pipe in the proposed west Right-of-Way line of the Interregional Highway, being the aforementioned proposed west Right-of-Way line having a curve whose angle of intersection is $31^{\circ} 58'$, whose tangent distance is 489.10 feet, and whose radius is 1707.57 feet;

THENCE following said curving proposed west Right-of-Way line of the Interregional Highway to the left an arc distance of 251.21 feet, the sub-chord of which arc bears N. $5^{\circ} 00'$ W. 250.96 feet to the point of tangency of said curve;

THENCE continuing with the proposed west Right-of-Way line of the Interregional Highway N. 9° 13' W. 136.75 feet to the point of beginning.

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Mayor McAden left the Council Chamber at this point and Mayor Pro-tem Pearson presided.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the opening, development, construction and maintenance of certain public streets within the City of Austin as thoroughfare or boulevard streets which will serve for the better handling of traffic throughout the City; and,

WHEREAS, it has become necessary for the City of Austin to acquire abutting land for the widening of Riverside Drive, between Barton Springs Road and South 1st Street, as a part of its plan of developing said thoroughfare and boulevard street system; and,

WHEREAS, the City Council has found and determined that the hereinafter described land is suitable for the purpose of widening said Riverside Drive, and that it is necessary to acquire said land for such street purposes; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to negotiate with the owners and lienholders of the hereinafter described tract as to the fair cash market value of said land; and,

BE IT FURTHER RESOLVED:

That when the City Manager determines in his opinion that negotiations have broken down, that he is hereby authorized and directed to file, or cause to be filed, against all owners and lienholders a suit in eminent domain to acquire fee simple title for said street purposes to the following described tract of land:

0.146 of one acre of land, same being out of and a part of that certain tract of land out of Lot 3F Swisher Subdivision, a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said subdivision of record in Book 1, page 2, Plat Records of Travis County, Texas, which was conveyed to W. C. Moore by warranty deed dated

November 3, 1926, of record in Volume 396, page 186, Deed Records Travis County, Texas, and also being a portion of that property conveyed to Leona M. Moore by last will and testament of W. C. Moore, deceased, of record in Volume 124, page 266, Probate Records of Travis County, Texas, which 0.146 of one acre of land is more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe at the southwest corner of the herein described tract of land which iron pipe is also in the present east line of Riverside Drive and from which point of beginning a concrete monument at the intersection of the centerline of Barton Springs Road with a line eight (8) feet west of the centerline of Riverside Drive, as set by the Department of Public Works of the City of Austin, bears S. 36° 33' E. 154.77 feet, S. 76° 19' W. 34.74 feet, S. 36° 33' E. 54.28 feet;

THENCE with the present east line of Riverside Drive N. 36° 33' W. 218.15 feet to an iron pipe at the point of intersection of the present east line of Riverside Drive and the present east line of South First Street;

THENCE with the present east line of South First Street N. 30° 57' E. 36.41 feet to a steel pin set in the proposed east line of Riverside Drive, and at the northeast corner of the herein described tract of land;

THENCE with the proposed east line of Riverside Drive S. 33° 55' E. 232.40 feet to an iron pipe at the southeast corner of the herein described tract of land;

THENCE S. 53° 29' W. 23.0 feet to the point of beginning.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Thompson, White, Mayor Pro-tem Pearson
Noes: None
Absent: Mayor McAden

Mayor McAden re-entered the Council Chamber at this point.

Councilman Thompson moved that the City Manager be instructed to have drawn the necessary resolution to change the name of Robert E. Lee Road to Riverside Drive, beginning at South 1st Street and extending to Lamar Boulevard. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman White moved that the City Manager be instructed to draw an ordinance to have the Missouri Pacific to stop their trains at Mary Street. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Mayor McAden brought up for its second reading the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT, ON A PORTION OF LOTS 1 AND 7, AND ALL OF LOTS 9, 25 AND 26, STAEBELY AND WENDLANDT SUBDIVISION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the second time and Councilman Thompson moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Thompson, Mayor McAden
Noes: Councilmen Pearson, White

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION AND HEIGHT AND AREA DESIGNATIONS FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON LOTS 17, 18, 19 AND 20, BLOCK 46, HIGHLANDS, LOCALLY KNOWN AS 5213-15 AVENUE F OR 201-203 EAST 53RD STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, White, Mayor McAden
 Noes: Councilmen Pearson, Thompson

Councilman Long submitted for consideration the question of a summer water rate. She proposed the summer rate go into effect when the new water plant was completed. No action was taken.

The Council agreed to have one extra meeting each week besides the Regular Council Meeting, to clear the pending list. These meetings to begin after May 15th and run until the pending list is cleared.

Discussion was held regarding the Architects for the Municipal Auditorium. The City Manager stated he had contacted Jessen, Jessen, Millhouse and Greeven as requested and they were willing to relinquish their contract for the Health Building if they were retained with Page, Southerland and Page for the Auditorium. Councilman Long stated that it had been the custom to hire the firms that had drawn the preliminary plans. Councilman White moved that the City Manager be instructed to enter into a contract with Page, Southerland & Page and Jessen, Jessen, Millhouse and Greeven. Action was delayed until next week on the request of Councilman Thompson.

Councilman Long proposed that an ordinance be drawn to increase the electric commercial rates 10%. Discussion was held but no action was taken.

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Plan Commission:

H. E. BECKER	300 Block Willow	From "B" Residence To "C" Commercial
F. H. BECKER	Hancock Dr. between Finley Dr. & Strass Dr.	From "A" Residence 1st Height and Area To "C" Commercial 6th Height and Area
H. J. PETMECKY	1208-28 So. Lamar Blvd.	From "A" Residence 1st Height and Area To "C" Commercial 6th Height and Area
PAUL J. WILLHOITE	412-14 Montopolis Drive	From "A" Residence 1st Height and Area To "C" Commercial 6th Height and Area

MRS. AUGUST SPONBERG
ESTATE

5313-37 East Ave. &
5312-24 Cameron Rd.

From "A" Residence 1st
Height and Area
To "C" Commercial 6th
Height and Area

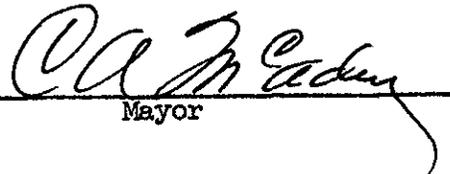
GENE NAUMANN

1124 Nile St.

From "A" Residence 1st
Height and Area
To "B" Residence 6th
Height and Area

There being no further business the Council adjourned at 12:00 Noon,
subject to the call of the Mayor.

APPROVED:


Mayor

ATTEST:


Deputy City Clerk